

AFFIDAVIT OF MONICA BHAREL, M.D.

I, Monica Bharel, MD, MPH, hereby depose and state, upon my personal knowledge and under oath, the following:

- 1) I have served as the Commissioner (Commissioner) of the Massachusetts Department of Public Health (DPH or Department) since February 2015. I hold the following degrees: Doctor of Medicine and Master of Public Health. I am board certified in Internal Medicine.
- 2) As Commissioner I am a member of many national public health associations including the Association of State and Territorial Health Officials (ASTHO) . I also participate frequently in discussions with the Centers for Disease Control and Prevention (CDC).
- 3) On December 31, 2020, China revealed the outbreak in the city of Wuhan in the province of Hubai.
- 4) By February 20202, I personally, and members of the State Public Health Lab, charged with leading the infectious disease investigation were in daily contact with the CDC, the Federal Drug Administration, ASTHO and other state and local authorities to discuss testing and containment of Covid-19.
- 5) On February 1, 2020, the first Massachusetts case was confirmed in Boston, Massachusetts.
- 6) During early March presumptively positive cases were rapidly increasing. From March 1st to March 8th the Commonwealth confirmed an additional 26 presumptive positive cases. Cases that were labeled “presumptively positive” were cases awaiting confirmatory testing at the CDC but which the Commonwealth treated as positive cases.

- 7) By March 10, 2020, there were 91 presumed positive cases of COVID-19 in the Commonwealth and both travel related and community contact cases were being detected. As of March 10th, however, no deaths from COVID-19 had been reported.
- 8) On March 10, 2020, Governor Charlie Baker declared pursuant to Chapter 639 of the Acts of 1950, the Civil Defense Act, and Section 2A of Chapter 17 of the General Laws, public health emergency, a state of emergency.
- 9) Declaring a state of emergency was critical to allow the state to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the people of the Commonwealth.
- 10) COVID-19 is caused by a novel and highly contagious strain of coronavirus that aggressively spreads by person-to-person transmission. It is most commonly spread via respiratory droplets produced when an infected person coughs or sneezes. Because of the manner in which COVID-19 spreads within communities, one important strategy for containment of the disease is for individuals –to avoid coming into close physical contact with each other and to practice “social distancing” measures (generally defined as not coming within six feet of another person). These measures reduce the risk of transmission of the virus causing COVID-19 from person to person and thus reduce the numbers of cases who become infected, develop illness, develop serious illness and die from the illness. Each person who avoids developing COVID-19 also prevents those in contact with him or her from becoming infected, avoiding whole chains of transmission.
- 11) COVID-19 has been rapidly spreading within the Commonwealth for the past several weeks, and cases are found in every county in the Commonwealth. As of April 12, 2020, the number of laboratory confirmed cases of COVID-19 in the Commonwealth was 25,475, based upon the Department’s best available data. From April 11 to April 12 the Commonwealth reported 2, 615 new cases and 70 new deaths for a total number of deaths of 756.
- 12) Epidemiologists are now predicting that we have just begun to enter the surge of the hospitalizations from COVID-19. The Department of Public Health expects that the peak will occur close to April 20, 2020.

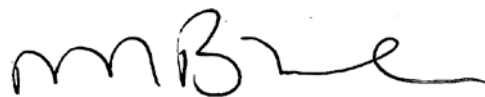
13) Because of the growing number of patients inflicted with COVID-19 in the Commonwealth, there is potential for the Commonwealth's health care facilities, including its hospitals, to become seriously strained and possibly overburdened by the needs of sick COVID-19 patients. While the Department and many other public agencies are trying to prevent this from happening, the reality is that there are severe shortages of required personal protective equipment such as facemasks and eye protection, shortages of healthcare personnel, emergency departments and entire hospitals operating over capacity despite cancellations of non-urgent surgery, and the need to divert ambulances from overcrowded emergency departments.

14) In order to minimize the number of COVID-19 cases and fatalities in the Commonwealth and to stave off the possibility of our health care systems and facilities becoming overburdened, it is imperative that individuals in the Commonwealth – until the crisis is over -- practice social distancing measures where possible and avoid congregating in larger groups in confined spaces. Effective social distancing practices include:

- Only leaving home for essential errands such as going to the grocery store or pharmacy
- Maintaining a distance at all times of 6 feet or more from others when you have to leave your home for essential trips
- If you are at high-risk for infection, asking about special hours at the local pharmacy or grocery store
- Stay home if you are sick and avoid close contact with others
- Wash your hands often with soap and water for at least 20 seconds; use alcohol-based hand gel with at least 60% alcohol if soap and water are not available
- Avoid touching your eyes, nose and mouth
- Clean things that are frequently touched, like doorknobs and countertops with household cleaning spray or wipes

Cover your mouth when you cough or sneeze. Use a tissue or your inner elbow, not your hands.

SIGNED UNDER THE PAINS AND PENALTIES OF LAW THIS 13th DAY OF APRIL, 2020.

A handwritten signature in black ink, appearing to read 'mBare', written over a horizontal line.

Monica Bharel, MD, MPH
Commissioner
Massachusetts Department of Public Health